

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

RAYMOND HINSON,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:08-cv-02138-JHH-JEO
)	
WARDEN J.C. GILES,)	
RICHARD ALLEN, and THE)	
ATTORNEY GENERAL OF THE STATE)	
OF ALABAMA,)	
)	
Respondents.)	

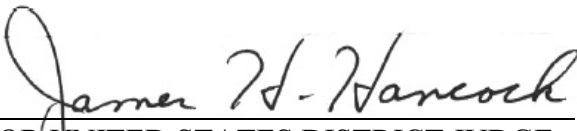
MEMORANDUM OPINION

This case involves a petition for a writ of habeas corpus filed by Raymond Hinson. (Doc. 1). After preliminary review, the magistrate judge assigned this case determined that it was due to be dismissed without prejudice because the petitioner had not exhausted available state remedies. (Doc. 9). The petitioner has not filed any objections to the magistrate judge's determination.

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings

and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed without prejudice. An appropriate order will be entered.

DONE this the 3rd day of March, 2009.



SENIOR UNITED STATES DISTRICT JUDGE